

**As Introduced**

**130th General Assembly  
Regular Session  
2013-2014**

**S. B. No. 121**

**Senators Hughes, LaRose**

**Cosponsor: Senator Patton**

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**A B I L L**

To amend sections 2152.17, 2929.13, 2929.14, 1  
2941.141, 2941.144, 2941.145, 2941.146, and 2  
2941.1412 and to enact sections 2923.132 and 3  
2941.1424 of the Revised Code to double the 4  
mandatory prison term for an offender who is 5  
convicted of a firearm specification and 6  
previously has been convicted of a firearm 7  
specification; to similarly double the period of 8  
authorized or mandatory commitment to the 9  
Department of Youth Services of a delinquent child 10  
who is guilty of a firearm specification and 11  
previously has been adjudicated a delinquent child 12  
for committing an act that would constitute a 13  
violation of a firearm specification if committed 14  
by an adult; to prohibit violent career criminals 15  
from knowingly acquiring, having, carrying, or 16  
using any firearm or dangerous ordnance; and to 17  
require a mandatory prison term for a violent 18  
career criminal convicted of committing a violent 19  
felony offense while armed with a firearm. 20

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 2152.17, 2929.13, 2929.14, 2941.141, 21  
2941.144, 2941.145, 2941.146, and 2941.1412 be amended and 22  
sections 2923.132 and 2941.1424 of the Revised Code be enacted to 23  
read as follows: 24

**Sec. 2152.17.** (A) Subject to division (D) of this section, if 25  
a child is adjudicated a delinquent child for committing an act, 26  
other than a violation of section 2923.12 of the Revised Code, 27  
that would be a felony if committed by an adult and if the court 28  
determines that, if the child was an adult, the child would be 29  
guilty of a specification of the type set forth in section 30  
2941.141, 2941.144, 2941.145, 2941.146, 2941.1412, 2941.1414, or 31  
2941.1415 of the Revised Code, in addition to any commitment or 32  
other disposition the court imposes for the underlying delinquent 33  
act, all of the following apply: 34

(1)(a) If the court determines that the child would be guilty 35  
of a specification of the type set forth in division (A) of 36  
section 2941.141 of the Revised Code, the court may commit the 37  
child to the department of youth services for the specification 38  
for a definite period of up to one year. 39

(b) If the court determines that the child would be guilty of 40  
a specification of the type set forth in division (D) of section 41  
2941.141 of the Revised Code, the court may commit the child to 42  
the department of youth services for the specification for a 43  
definite period of up to two years. 44

(2)(a) If the court determines that the child would be guilty 45  
of a specification of the type set forth in division (A) of 46  
section 2941.145 of the Revised Code or if the delinquent act is a 47  
violation of division (A)(1) or (2) of section 2903.06 of the 48  
Revised Code and the court determines that the child would be 49  
guilty of a specification of the type set forth in section 50

2941.1415 of the Revised Code, the court shall commit the child to 51  
the department of youth services for the specification for a 52  
definite period of not less than one and not more than three 53  
years, and the court also shall commit the child to the department 54  
for the underlying delinquent act under sections 2152.11 to 55  
2152.16 of the Revised Code. 56

(b) If the court determines that the child would be guilty of 57  
a specification of the type set forth in division (D) of section 58  
2941.145 of the Revised Code, the court shall commit the child to 59  
the department of youth services for the specification for a 60  
definite period of not less than two and not more than six years, 61  
and the court also shall commit the child to the department for 62  
the underlying delinquent acts under sections 2152.11 to 2152.16 63  
of the Revised Code. 64

(3)(a) If the court determines that the child would be guilty 65  
of a specification of the type set forth in division (A) of 66  
section 2941.144, division (A) of section 2941.146, or division 67  
(A) of section 2941.1412 of the Revised Code or if the delinquent 68  
act is a violation of division (A)(1) or (2) of section 2903.06 of 69  
the Revised Code and the court determines that the child would be 70  
guilty of a specification of the type set forth in section 71  
2941.1414 of the Revised Code, the court shall commit the child to 72  
the department of youth services for the specification for a 73  
definite period of not less than one and not more than five years, 74  
and the court also shall commit the child to the department for 75  
the underlying delinquent act under sections 2152.11 to 2152.16 of 76  
the Revised Code. 77

(b) If the court determines that the child would be guilty of 78  
a specification of the type set forth in division (D) of section 79  
2941.144, division (C) of section 2941.146, or division (B) of 80  
section 2941.1412 of the Revised Code, the court shall commit the 81  
child to the department of youth services for the specification 82

for a definite period of not less than two and not more than ten 83  
years, and the court also shall commit the child to the department 84  
for the underlying delinquent act under sections 2152.11 to 85  
2152.16 of the Revised Code. 86

(B)(1) If a child is adjudicated a delinquent child for 87  
committing an act, other than a violation of section 2923.12 of 88  
the Revised Code, that would be a felony if committed by an adult, 89  
if the court determines that the child is complicit in another 90  
person's conduct that is of such a nature that the other person 91  
would be guilty of a specification of the type set forth in 92  
section 2941.141, 2941.144, 2941.145, or 2941.146 of the Revised 93  
Code if the other person was an adult, if the other person's 94  
conduct relates to the child's underlying delinquent act, and if 95  
the child did not furnish, use, or dispose of any firearm that was 96  
involved with the underlying delinquent act or with the other 97  
person's specification-related conduct, in addition to any other 98  
disposition the court imposes for the underlying delinquent act, 99  
the court may commit the child to the department of youth services 100  
for the specification for a definite period of not more than one 101  
year, subject to division (D)(2) of this section. 102

(2) Except as provided in division (B)(1) of this section, 103  
division (A) of this section also applies to a child who is an 104  
accomplice regarding a ~~firearm~~ specification of the type set forth 105  
in section 2941.1412, 2941.1414, or 2941.1415 of the Revised Code 106  
to the same extent the ~~firearm~~ specifications would apply to an 107  
adult accomplice in a criminal proceeding. 108

(C) If a child is adjudicated a delinquent child for 109  
committing an act that would be aggravated murder, murder, or a 110  
first, second, or third degree felony offense of violence if 111  
committed by an adult and if the court determines that, if the 112  
child was an adult, the child would be guilty of a specification 113  
of the type set forth in section 2941.142 of the Revised Code in 114

relation to the act for which the child was adjudicated a 115  
delinquent child, the court shall commit the child for the 116  
specification to the legal custody of the department of youth 117  
services for institutionalization in a secure facility for a 118  
definite period of not less than one and not more than three 119  
years, subject to division (D)(2) of this section, and the court 120  
also shall commit the child to the department for the underlying 121  
delinquent act. 122

(D)(1) If the child is adjudicated a delinquent child for 123  
committing an act that would be an offense of violence that is a 124  
felony if committed by an adult and is committed to the legal 125  
custody of the department of youth services pursuant to division 126  
(A)(1) of section 2152.16 of the Revised Code and if the court 127  
determines that the child, if the child was an adult, would be 128  
guilty of a specification of the type set forth in section 129  
2941.1411 of the Revised Code in relation to the act for which the 130  
child was adjudicated a delinquent child, the court may commit the 131  
child to the custody of the department of youth services for 132  
institutionalization in a secure facility for up to two years, 133  
subject to division (D)(2) of this section. 134

(2) A court that imposes a period of commitment under 135  
division (A) of this section is not precluded from imposing an 136  
additional period of commitment under division (C) or (D)(1) of 137  
this section, a court that imposes a period of commitment under 138  
division (C) of this section is not precluded from imposing an 139  
additional period of commitment under division (A) or (D)(1) of 140  
this section, and a court that imposes a period of commitment 141  
under division (D)(1) of this section is not precluded from 142  
imposing an additional period of commitment under division (A) or 143  
(C) of this section. 144

(E) The court shall not commit a child to the legal custody 145  
of the department of youth services for a specification pursuant 146

to this section for a period that exceeds ~~five~~ ten years for any 147  
one delinquent act. Any commitment imposed pursuant to division 148  
(A), (B), (C), or (D)(1) of this section shall be in addition to, 149  
and shall be served consecutively with and prior to, a period of 150  
commitment ordered under this chapter for the underlying 151  
delinquent act, and each commitment imposed pursuant to division 152  
(A), (B), (C), or (D)(1) of this section shall be in addition to, 153  
and shall be served consecutively with, any other period of 154  
commitment imposed under those divisions. If a commitment is 155  
imposed under division (A) or (B) of this section and a commitment 156  
also is imposed under division (C) of this section, the period 157  
imposed under division (A) or (B) of this section shall be served 158  
prior to the period imposed under division (C) of this section. 159

In each case in which a court makes a disposition under this 160  
section, the court retains control over the commitment for the 161  
entire period of the commitment. 162

The total of all the periods of commitment imposed for any 163  
specification under this section and for the underlying offense 164  
shall not exceed the child's attainment of twenty-one years of 165  
age. 166

(F) If a child is adjudicated a delinquent child for 167  
committing two or more acts that would be felonies if committed by 168  
an adult and if the court entering the delinquent child 169  
adjudication orders the commitment of the child for two or more of 170  
those acts to the legal custody of the department of youth 171  
services for institutionalization in a secure facility pursuant to 172  
section 2152.13 or 2152.16 of the Revised Code, the court may 173  
order that all of the periods of commitment imposed under those 174  
sections for those acts be served consecutively in the legal 175  
custody of the department of youth services, provided that those 176  
periods of commitment shall be in addition to and commence 177  
immediately following the expiration of a period of commitment 178

that the court imposes pursuant to division (A), (B), (C), or 179  
(D)(1) of this section. A court shall not commit a delinquent 180  
child to the legal custody of the department of youth services 181  
under this division for a period that exceeds the child's 182  
attainment of twenty-one years of age. 183

Sec. 2923.132. (A) As used in this section: 184

(1) "Violent career criminal" means a person who within the 185  
preceding fifteen years has been convicted of or pleaded guilty to 186  
two or more violent felony offenses or has been adjudicated a 187  
delinquent child for committing an act that would constitute a 188  
violent felony offense if committed by an adult and also has been 189  
convicted of or pleaded guilty to a violent felony offense. 190

(2) "Violent felony offense" means any of the following: 191

(a) A violation of section 2903.01, 2903.02, 2903.03, 192  
2903.04, 2903.11, 2903.12, 2905.01, 2905.02, 2905.11, 2909.02, 193  
2909.23, 2911.01, 2911.02, 2911.11, or 2911.12 of the Revised 194  
Code; 195

(b) A felony violation of any section in Chapter 2907. of the 196  
Revised Code; 197

(c) A felony violation of section 2909.24 of the Revised Code 198  
or a violation of section 2919.25 of the Revised Code that is a 199  
felony of the third degree; 200

(d) A violation of section 2923.02 of the Revised Code or an 201  
attempt to commit any of the offenses listed or described in 202  
division (A)(2) of this section; 203

(e) A violation of any existing or former ordinance or law of 204  
this state, another state, or the United States that is or was 205  
substantially equivalent to any offense listed or described in 206  
division (A)(2) of this section; 207

(f) A delinquent child adjudication for the commission of an 208

act that if the act had been committed by an adult would have been 209  
an offense listed or described in divisions (A)(2)(a) to (e) of 210  
this section. 211

(3) "Dangerous ordnance" and "firearm" have the same meanings 212  
as in section 2923.11 of the Revised Code. 213

(B) No violent career criminal shall knowingly acquire, have, 214  
carry, or use any firearm or dangerous ordnance. 215

(C) Whoever violates this section is guilty of unlawful 216  
possession or use of a weapon by a violent career criminal, a 217  
felony of the first degree, and the court shall impose upon the 218  
offender a mandatory prison term of eleven years. 219

**Sec. 2929.13.** (A) Except as provided in division (E), (F), or 220  
(G) of this section and unless a specific sanction is required to 221  
be imposed or is precluded from being imposed pursuant to law, a 222  
court that imposes a sentence upon an offender for a felony may 223  
impose any sanction or combination of sanctions on the offender 224  
that are provided in sections 2929.14 to 2929.18 of the Revised 225  
Code. 226

If the offender is eligible to be sentenced to community 227  
control sanctions, the court shall consider the appropriateness of 228  
imposing a financial sanction pursuant to section 2929.18 of the 229  
Revised Code or a sanction of community service pursuant to 230  
section 2929.17 of the Revised Code as the sole sanction for the 231  
offense. Except as otherwise provided in this division, if the 232  
court is required to impose a mandatory prison term for the 233  
offense for which sentence is being imposed, the court also shall 234  
impose any financial sanction pursuant to section 2929.18 of the 235  
Revised Code that is required for the offense and may impose any 236  
other financial sanction pursuant to that section but may not 237  
impose any additional sanction or combination of sanctions under 238  
section 2929.16 or 2929.17 of the Revised Code. 239



If the offender is being sentenced for a fourth degree felony OVI offense or for a third degree felony OVI offense, in addition to the mandatory term of local incarceration or the mandatory prison term required for the offense by division (G)(1) or (2) of this section, the court shall impose upon the offender a mandatory fine in accordance with division (B)(3) of section 2929.18 of the Revised Code and may impose whichever of the following is applicable:

(1) For a fourth degree felony OVI offense for which sentence is imposed under division (G)(1) of this section, an additional community control sanction or combination of community control sanctions under section 2929.16 or 2929.17 of the Revised Code. If the court imposes upon the offender a community control sanction and the offender violates any condition of the community control sanction, the court may take any action prescribed in division (B) of section 2929.15 of the Revised Code relative to the offender, including imposing a prison term on the offender pursuant to that division.

(2) For a third or fourth degree felony OVI offense for which sentence is imposed under division (G)(2) of this section, an additional prison term as described in division (B)(4) of section 2929.14 of the Revised Code or a community control sanction as described in division (G)(2) of this section.

(B)(1)(a) Except as provided in division (B)(1)(b) of this section, if an offender is convicted of or pleads guilty to a felony of the fourth or fifth degree that is not an offense of violence or that is a qualifying assault offense, the court shall sentence the offender to a community control sanction of at least one year's duration if all of the following apply:

(i) The offender previously has not been convicted of or pleaded guilty to a felony offense.

(ii) The most serious charge against the offender at the time 271  
of sentencing is a felony of the fourth or fifth degree. 272

(iii) If the court made a request of the department of 273  
rehabilitation and correction pursuant to division (B)(1)(c) of 274  
this section, the department, within the forty-five-day period 275  
specified in that division, provided the court with the names of, 276  
contact information for, and program details of one or more 277  
community control sanctions of at least one year's duration that 278  
are available for persons sentenced by the court. 279

(iv) The offender previously has not been convicted of or 280  
pleaded guilty to a misdemeanor offense of violence that the 281  
offender committed within two years prior to the offense for which 282  
sentence is being imposed. 283

(b) The court has discretion to impose a prison term upon an 284  
offender who is convicted of or pleads guilty to a felony of the 285  
fourth or fifth degree that is not an offense of violence or that 286  
is a qualifying assault offense if any of the following apply: 287

(i) The offender committed the offense while having a firearm 288  
on or about the offender's person or under the offender's control. 289

(ii) If the offense is a qualifying assault offense, the 290  
offender caused serious physical harm to another person while 291  
committing the offense, and, if the offense is not a qualifying 292  
assault offense, the offender caused physical harm to another 293  
person while committing the offense. 294

(iii) The offender violated a term of the conditions of bond 295  
as set by the court. 296

(iv) The court made a request of the department of 297  
rehabilitation and correction pursuant to division (B)(1)(c) of 298  
this section, and the department, within the forty-five-day period 299  
specified in that division, did not provide the court with the 300  
name of, contact information for, and program details of any 301

community control sanction of at least one year's duration that is 302  
available for persons sentenced by the court. 303

(v) The offense is a sex offense that is a fourth or fifth 304  
degree felony violation of any provision of Chapter 2907. of the 305  
Revised Code. 306

(vi) In committing the offense, the offender attempted to 307  
cause or made an actual threat of physical harm to a person with a 308  
deadly weapon. 309

(vii) In committing the offense, the offender attempted to 310  
cause or made an actual threat of physical harm to a person, and 311  
the offender previously was convicted of an offense that caused 312  
physical harm to a person. 313

(viii) The offender held a public office or position of 314  
trust, and the offense related to that office or position; the 315  
offender's position obliged the offender to prevent the offense or 316  
to bring those committing it to justice; or the offender's 317  
professional reputation or position facilitated the offense or was 318  
likely to influence the future conduct of others. 319

(ix) The offender committed the offense for hire or as part 320  
of an organized criminal activity. 321

(x) The offender at the time of the offense was serving, or 322  
the offender previously had served, a prison term. 323

(xi) The offender committed the offense while under a 324  
community control sanction, while on probation, or while released 325  
from custody on a bond or personal recognizance. 326

(c) If a court that is sentencing an offender who is 327  
convicted of or pleads guilty to a felony of the fourth or fifth 328  
degree that is not an offense of violence or that is a qualifying 329  
assault offense believes that no community control sanctions are 330  
available for its use that, if imposed on the offender, will 331

adequately fulfill the overriding principles and purposes of 332  
sentencing, the court shall contact the department of 333  
rehabilitation and correction and ask the department to provide 334  
the court with the names of, contact information for, and program 335  
details of one or more community control sanctions of at least one 336  
year's duration that are available for persons sentenced by the 337  
court. Not later than forty-five days after receipt of a request 338  
from a court under this division, the department shall provide the 339  
court with the names of, contact information for, and program 340  
details of one or more community control sanctions of at least one 341  
year's duration that are available for persons sentenced by the 342  
court, if any. Upon making a request under this division that 343  
relates to a particular offender, a court shall defer sentencing 344  
of that offender until it receives from the department the names 345  
of, contact information for, and program details of one or more 346  
community control sanctions of at least one year's duration that 347  
are available for persons sentenced by the court or for forty-five 348  
days, whichever is the earlier. 349

If the department provides the court with the names of, 350  
contact information for, and program details of one or more 351  
community control sanctions of at least one year's duration that 352  
are available for persons sentenced by the court within the 353  
forty-five-day period specified in this division, the court shall 354  
impose upon the offender a community control sanction under 355  
division (B)(1)(a) of this section, except that the court may 356  
impose a prison term under division (B)(1)(b) of this section if a 357  
factor described in division (B)(1)(b)(i) or (ii) of this section 358  
applies. If the department does not provide the court with the 359  
names of, contact information for, and program details of one or 360  
more community control sanctions of at least one year's duration 361  
that are available for persons sentenced by the court within the 362  
forty-five-day period specified in this division, the court may 363  
impose upon the offender a prison term under division 364

(B)(1)(b)(iv) of this section. 365

(d) A sentencing court may impose an additional penalty under 366  
division (B) of section 2929.15 of the Revised Code upon an 367  
offender sentenced to a community control sanction under division 368  
(B)(1)(a) of this section if the offender violates the conditions 369  
of the community control sanction, violates a law, or leaves the 370  
state without the permission of the court or the offender's 371  
probation officer. 372

(2) If division (B)(1) of this section does not apply, except 373  
as provided in division (E), (F), or (G) of this section, in 374  
determining whether to impose a prison term as a sanction for a 375  
felony of the fourth or fifth degree, the sentencing court shall 376  
comply with the purposes and principles of sentencing under 377  
section 2929.11 of the Revised Code and with section 2929.12 of 378  
the Revised Code. 379

(C) Except as provided in division (D), (E), (F), or (G) of 380  
this section, in determining whether to impose a prison term as a 381  
sanction for a felony of the third degree or a felony drug offense 382  
that is a violation of a provision of Chapter 2925. of the Revised 383  
Code and that is specified as being subject to this division for 384  
purposes of sentencing, the sentencing court shall comply with the 385  
purposes and principles of sentencing under section 2929.11 of the 386  
Revised Code and with section 2929.12 of the Revised Code. 387

(D)(1) Except as provided in division (E) or (F) of this 388  
section, for a felony of the first or second degree, for a felony 389  
drug offense that is a violation of any provision of Chapter 390  
2925., 3719., or 4729. of the Revised Code for which a presumption 391  
in favor of a prison term is specified as being applicable, and 392  
for a violation of division (A)(4) or (B) of section 2907.05 of 393  
the Revised Code for which a presumption in favor of a prison term 394  
is specified as being applicable, it is presumed that a prison 395  
term is necessary in order to comply with the purposes and 396

principles of sentencing under section 2929.11 of the Revised Code. Division (D)(2) of this section does not apply to a presumption established under this division for a violation of division (A)(4) of section 2907.05 of the Revised Code.

(2) Notwithstanding the presumption established under division (D)(1) of this section for the offenses listed in that division other than a violation of division (A)(4) or (B) of section 2907.05 of the Revised Code, the sentencing court may impose a community control sanction or a combination of community control sanctions instead of a prison term on an offender for a felony of the first or second degree or for a felony drug offense that is a violation of any provision of Chapter 2925., 3719., or 4729. of the Revised Code for which a presumption in favor of a prison term is specified as being applicable if it makes both of the following findings:

(a) A community control sanction or a combination of community control sanctions would adequately punish the offender and protect the public from future crime, because the applicable factors under section 2929.12 of the Revised Code indicating a lesser likelihood of recidivism outweigh the applicable factors under that section indicating a greater likelihood of recidivism.

(b) A community control sanction or a combination of community control sanctions would not demean the seriousness of the offense, because one or more factors under section 2929.12 of the Revised Code that indicate that the offender's conduct was less serious than conduct normally constituting the offense are applicable, and they outweigh the applicable factors under that section that indicate that the offender's conduct was more serious than conduct normally constituting the offense.

(E)(1) Except as provided in division (F) of this section, for any drug offense that is a violation of any provision of Chapter 2925. of the Revised Code and that is a felony of the

third, fourth, or fifth degree, the applicability of a presumption 429  
under division (D) of this section in favor of a prison term or of 430  
division (B) or (C) of this section in determining whether to 431  
impose a prison term for the offense shall be determined as 432  
specified in section 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 433  
2925.11, 2925.13, 2925.22, 2925.23, 2925.36, or 2925.37 of the 434  
Revised Code, whichever is applicable regarding the violation. 435

(2) If an offender who was convicted of or pleaded guilty to 436  
a felony violates the conditions of a community control sanction 437  
imposed for the offense solely by reason of producing positive 438  
results on a drug test, the court, as punishment for the violation 439  
of the sanction, shall not order that the offender be imprisoned 440  
unless the court determines on the record either of the following: 441

(a) The offender had been ordered as a sanction for the 442  
felony to participate in a drug treatment program, in a drug 443  
education program, or in narcotics anonymous or a similar program, 444  
and the offender continued to use illegal drugs after a reasonable 445  
period of participation in the program. 446

(b) The imprisonment of the offender for the violation is 447  
consistent with the purposes and principles of sentencing set 448  
forth in section 2929.11 of the Revised Code. 449

(3) A court that sentences an offender for a drug abuse 450  
offense that is a felony of the third, fourth, or fifth degree may 451  
require that the offender be assessed by a properly credentialed 452  
professional within a specified period of time. The court shall 453  
require the professional to file a written assessment of the 454  
offender with the court. If the offender is eligible for a 455  
community control sanction and after considering the written 456  
assessment, the court may impose a community control sanction that 457  
includes treatment and recovery support services authorized by 458  
section 3793.02 of the Revised Code. If the court imposes 459  
treatment and recovery support services as a community control 460

sanction, the court shall direct the level and type of treatment 461  
and recovery support services after considering the assessment and 462  
recommendation of treatment and recovery support services 463  
providers. 464

(F) Notwithstanding divisions (A) to (E) of this section, the 465  
court shall impose a prison term or terms under sections 2929.02 466  
to 2929.06, section 2929.14, section 2929.142, or section 2971.03 467  
of the Revised Code and except as specifically provided in section 468  
2929.20, divisions (C) to (I) of section 2967.19, or section 469  
2967.191 of the Revised Code or when parole is authorized for the 470  
offense under section 2967.13 of the Revised Code shall not reduce 471  
the term or terms pursuant to section 2929.20, section 2967.19, 472  
section 2967.193, or any other provision of Chapter 2967. or 473  
Chapter 5120. of the Revised Code for any of the following 474  
offenses: 475

(1) Aggravated murder when death is not imposed or murder; 476

(2) Any rape, regardless of whether force was involved and 477  
regardless of the age of the victim, or an attempt to commit rape 478  
if, had the offender completed the rape that was attempted, the 479  
offender would have been guilty of a violation of division 480  
(A)(1)(b) of section 2907.02 of the Revised Code and would be 481  
sentenced under section 2971.03 of the Revised Code; 482

(3) Gross sexual imposition or sexual battery, if the victim 483  
is less than thirteen years of age and if any of the following 484  
applies: 485

(a) Regarding gross sexual imposition, the offender 486  
previously was convicted of or pleaded guilty to rape, the former 487  
offense of felonious sexual penetration, gross sexual imposition, 488  
or sexual battery, and the victim of the previous offense was less 489  
than thirteen years of age; 490

(b) Regarding gross sexual imposition, the offense was 491



committed on or after August 3, 2006, and evidence other than the 492  
testimony of the victim was admitted in the case corroborating the 493  
violation. 494

(c) Regarding sexual battery, either of the following 495  
applies: 496

(i) The offense was committed prior to August 3, 2006, the 497  
offender previously was convicted of or pleaded guilty to rape, 498  
the former offense of felonious sexual penetration, or sexual 499  
battery, and the victim of the previous offense was less than 500  
thirteen years of age. 501

(ii) The offense was committed on or after August 3, 2006. 502

(4) A felony violation of section 2903.04, 2903.06, 2903.08, 503  
2903.11, 2903.12, 2903.13, 2905.32, ~~or~~ 2907.07, or 2923.12 of the 504  
Revised Code if the section requires the imposition of a prison 505  
term; 506

(5) A first, second, or third degree felony drug offense for 507  
which section 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 508  
2925.11, 2925.13, 2925.22, 2925.23, 2925.36, 2925.37, 3719.99, or 509  
4729.99 of the Revised Code, whichever is applicable regarding the 510  
violation, requires the imposition of a mandatory prison term; 511

(6) Any offense that is a first or second degree felony and 512  
that is not set forth in division (F)(1), (2), (3), or (4) of this 513  
section, if the offender previously was convicted of or pleaded 514  
guilty to aggravated murder, murder, any first or second degree 515  
felony, or an offense under an existing or former law of this 516  
state, another state, or the United States that is or was 517  
substantially equivalent to one of those offenses; 518

(7) Any offense that is a third degree felony and either is a 519  
violation of section 2903.04 of the Revised Code or an attempt to 520  
commit a felony of the second degree that is an offense of 521  
violence and involved an attempt to cause serious physical harm to 522

a person or that resulted in serious physical harm to a person if 523  
the offender previously was convicted of or pleaded guilty to any 524  
of the following offenses: 525

(a) Aggravated murder, murder, involuntary manslaughter, 526  
rape, felonious sexual penetration as it existed under section 527  
2907.12 of the Revised Code prior to September 3, 1996, a felony 528  
of the first or second degree that resulted in the death of a 529  
person or in physical harm to a person, or complicity in or an 530  
attempt to commit any of those offenses; 531

(b) An offense under an existing or former law of this state, 532  
another state, or the United States that is or was substantially 533  
equivalent to an offense listed in division (F)(7)(a) of this 534  
section that resulted in the death of a person or in physical harm 535  
to a person. 536

(8) Any offense, other than a violation of section 2923.12 of 537  
the Revised Code, that is a felony, if the offender had a firearm 538  
on or about the offender's person or under the offender's control 539  
while committing the felony, with respect to a portion of the 540  
sentence imposed pursuant to division (B)(1)(a) of section 2929.14 541  
of the Revised Code for having the firearm; 542

(9) Any offense of violence that is a felony, if the offender 543  
wore or carried body armor while committing the felony offense of 544  
violence, with respect to the portion of the sentence imposed 545  
pursuant to division (B)(1)(d) of section 2929.14 of the Revised 546  
Code for wearing or carrying the body armor; 547

(10) Corrupt activity in violation of section 2923.32 of the 548  
Revised Code when the most serious offense in the pattern of 549  
corrupt activity that is the basis of the offense is a felony of 550  
the first degree; 551

(11) Any violent sex offense or designated homicide, assault, 552  
or kidnapping offense if, in relation to that offense, the 553

offender is adjudicated a sexually violent predator; 554

(12) A violation of division (A)(1) or (2) of section 2921.36 555  
of the Revised Code, or a violation of division (C) of that 556  
section involving an item listed in division (A)(1) or (2) of that 557  
section, if the offender is an officer or employee of the 558  
department of rehabilitation and correction; 559

(13) A violation of division (A)(1) or (2) of section 2903.06 560  
of the Revised Code if the victim of the offense is a peace 561  
officer, as defined in section 2935.01 of the Revised Code, or an 562  
investigator of the bureau of criminal identification and 563  
investigation, as defined in section 2903.11 of the Revised Code, 564  
with respect to the portion of the sentence imposed pursuant to 565  
division (B)(5) of section 2929.14 of the Revised Code; 566

(14) A violation of division (A)(1) or (2) of section 2903.06 567  
of the Revised Code if the offender has been convicted of or 568  
pleaded guilty to three or more violations of division (A) or (B) 569  
of section 4511.19 of the Revised Code or an equivalent offense, 570  
as defined in section 2941.1415 of the Revised Code, or three or 571  
more violations of any combination of those divisions and 572  
offenses, with respect to the portion of the sentence imposed 573  
pursuant to division (B)(6) of section 2929.14 of the Revised 574  
Code; 575

(15) Kidnapping, in the circumstances specified in section 576  
2971.03 of the Revised Code and when no other provision of 577  
division (F) of this section applies; 578

(16) Kidnapping, abduction, compelling prostitution, 579  
promoting prostitution, engaging in a pattern of corrupt activity, 580  
illegal use of a minor in a nudity-oriented material or 581  
performance in violation of division (A)(1) or (2) of section 582  
2907.323 of the Revised Code, or endangering children in violation 583  
of division (B)(1), (2), (3), (4), or (5) of section 2919.22 of 584

the Revised Code, if the offender is convicted of or pleads guilty 585  
to a specification as described in section 2941.1422 of the 586  
Revised Code that was included in the indictment, count in the 587  
indictment, or information charging the offense; 588

(17) A felony violation of division (A) or (B) of section 589  
2919.25 of the Revised Code if division (D)(3), (4), or (5) of 590  
that section, and division (D)(6) of that section, require the 591  
imposition of a prison term; 592

(18) A felony violation of section 2903.11, 2903.12, or 593  
2903.13 of the Revised Code, if the victim of the offense was a 594  
woman that the offender knew was pregnant at the time of the 595  
violation, with respect to a portion of the sentence imposed 596  
pursuant to division (B)(8) of section 2929.14 of the Revised 597  
Code; 598

(19)(a) Any violent felony offense if the offender is a 599  
violent career criminal and had a firearm on or about the 600  
offender's person or under the offender's control during the 601  
commission of the violent felony offense, with respect to the 602  
portion of the sentence imposed under division (K) of section 603  
2929.14 of the Revised Code. 604

(b) As used in division (F)(19)(a) of this section, "violent 605  
career criminal" and "violent felony offense" have the same 606  
meanings as in section 2923.132 of the Revised Code. 607

(G) Notwithstanding divisions (A) to (E) of this section, if 608  
an offender is being sentenced for a fourth degree felony OVI 609  
offense or for a third degree felony OVI offense, the court shall 610  
impose upon the offender a mandatory term of local incarceration 611  
or a mandatory prison term in accordance with the following: 612

(1) If the offender is being sentenced for a fourth degree 613  
felony OVI offense and if the offender has not been convicted of 614  
and has not pleaded guilty to a specification of the type 615

described in section 2941.1413 of the Revised Code, the court may 616  
impose upon the offender a mandatory term of local incarceration 617  
of sixty days or one hundred twenty days as specified in division 618  
(G)(1)(d) of section 4511.19 of the Revised Code. The court shall 619  
not reduce the term pursuant to section 2929.20, 2967.193, or any 620  
other provision of the Revised Code. The court that imposes a 621  
mandatory term of local incarceration under this division shall 622  
specify whether the term is to be served in a jail, a 623  
community-based correctional facility, a halfway house, or an 624  
alternative residential facility, and the offender shall serve the 625  
term in the type of facility specified by the court. A mandatory 626  
term of local incarceration imposed under division (G)(1) of this 627  
section is not subject to any other Revised Code provision that 628  
pertains to a prison term except as provided in division (A)(1) of 629  
this section. 630

(2) If the offender is being sentenced for a third degree 631  
felony OVI offense, or if the offender is being sentenced for a 632  
fourth degree felony OVI offense and the court does not impose a 633  
mandatory term of local incarceration under division (G)(1) of 634  
this section, the court shall impose upon the offender a mandatory 635  
prison term of one, two, three, four, or five years if the 636  
offender also is convicted of or also pleads guilty to a 637  
specification of the type described in section 2941.1413 of the 638  
Revised Code or shall impose upon the offender a mandatory prison 639  
term of sixty days or one hundred twenty days as specified in 640  
division (G)(1)(d) or (e) of section 4511.19 of the Revised Code 641  
if the offender has not been convicted of and has not pleaded 642  
guilty to a specification of that type. Subject to divisions (C) 643  
to (I) of section 2967.19 of the Revised Code, the court shall not 644  
reduce the term pursuant to section 2929.20, 2967.19, 2967.193, or 645  
any other provision of the Revised Code. The offender shall serve 646  
the one-, two-, three-, four-, or five-year mandatory prison term 647  
consecutively to and prior to the prison term imposed for the 648

underlying offense and consecutively to any other mandatory prison term imposed in relation to the offense. In no case shall an offender who once has been sentenced to a mandatory term of local incarceration pursuant to division (G)(1) of this section for a fourth degree felony OVI offense be sentenced to another mandatory term of local incarceration under that division for any violation of division (A) of section 4511.19 of the Revised Code. In addition to the mandatory prison term described in division (G)(2) of this section, the court may sentence the offender to a community control sanction under section 2929.16 or 2929.17 of the Revised Code, but the offender shall serve the prison term prior to serving the community control sanction. The department of rehabilitation and correction may place an offender sentenced to a mandatory prison term under this division in an intensive program prison established pursuant to section 5120.033 of the Revised Code if the department gave the sentencing judge prior notice of its intent to place the offender in an intensive program prison established under that section and if the judge did not notify the department that the judge disapproved the placement. Upon the establishment of the initial intensive program prison pursuant to section 5120.033 of the Revised Code that is privately operated and managed by a contractor pursuant to a contract entered into under section 9.06 of the Revised Code, both of the following apply:

(a) The department of rehabilitation and correction shall make a reasonable effort to ensure that a sufficient number of offenders sentenced to a mandatory prison term under this division are placed in the privately operated and managed prison so that the privately operated and managed prison has full occupancy.

(b) Unless the privately operated and managed prison has full occupancy, the department of rehabilitation and correction shall not place any offender sentenced to a mandatory prison term under

this division in any intensive program prison established pursuant 681  
to section 5120.033 of the Revised Code other than the privately 682  
operated and managed prison. 683

(H) If an offender is being sentenced for a sexually oriented 684  
offense or child-victim oriented offense that is a felony 685  
committed on or after January 1, 1997, the judge shall require the 686  
offender to submit to a DNA specimen collection procedure pursuant 687  
to section 2901.07 of the Revised Code. 688

(I) If an offender is being sentenced for a sexually oriented 689  
offense or a child-victim oriented offense committed on or after 690  
January 1, 1997, the judge shall include in the sentence a summary 691  
of the offender's duties imposed under sections 2950.04, 2950.041, 692  
2950.05, and 2950.06 of the Revised Code and the duration of the 693  
duties. The judge shall inform the offender, at the time of 694  
sentencing, of those duties and of their duration. If required 695  
under division (A)(2) of section 2950.03 of the Revised Code, the 696  
judge shall perform the duties specified in that section, or, if 697  
required under division (A)(6) of section 2950.03 of the Revised 698  
Code, the judge shall perform the duties specified in that 699  
division. 700

(J)(1) Except as provided in division (J)(2) of this section, 701  
when considering sentencing factors under this section in relation 702  
to an offender who is convicted of or pleads guilty to an attempt 703  
to commit an offense in violation of section 2923.02 of the 704  
Revised Code, the sentencing court shall consider the factors 705  
applicable to the felony category of the violation of section 706  
2923.02 of the Revised Code instead of the factors applicable to 707  
the felony category of the offense attempted. 708

(2) When considering sentencing factors under this section in 709  
relation to an offender who is convicted of or pleads guilty to an 710  
attempt to commit a drug abuse offense for which the penalty is 711  
determined by the amount or number of unit doses of the controlled 712

substance involved in the drug abuse offense, the sentencing court 713  
shall consider the factors applicable to the felony category that 714  
the drug abuse offense attempted would be if that drug abuse 715  
offense had been committed and had involved an amount or number of 716  
unit doses of the controlled substance that is within the next 717  
lower range of controlled substance amounts than was involved in 718  
the attempt. 719

(K) As used in this section: 720

(1) "Drug abuse offense" has the same meaning as in section 721  
2925.01 of the Revised Code. 722

(2) "Qualifying assault offense" means a violation of section 723  
2903.13 of the Revised Code for which the penalty provision in 724  
division (C)(7)(b) or (C)(8)(b) of that section applies. 725

(L) At the time of sentencing an offender for any sexually 726  
oriented offense, if the offender is a tier III sex 727  
offender/child-victim offender relative to that offense and the 728  
offender does not serve a prison term or jail term, the court may 729  
require that the offender be monitored by means of a global 730  
positioning device. If the court requires such monitoring, the 731  
cost of monitoring shall be borne by the offender. If the offender 732  
is indigent, the cost of compliance shall be paid by the crime 733  
victims reparations fund. 734

**Sec. 2929.14.** (A) Except as provided in division (B)(1), 735  
(B)(2), (B)(3), (B)(4), (B)(5), (B)(6), (B)(7), (B)(8), (E), (G), 736  
(H), ~~or~~ (J), or (K) of this section or in division (D)(6) of 737  
section 2919.25 of the Revised Code and except in relation to an 738  
offense for which a sentence of death or life imprisonment is to 739  
be imposed, if the court imposing a sentence upon an offender for 740  
a felony elects or is required to impose a prison term on the 741  
offender pursuant to this chapter, the court shall impose a 742  
definite prison term that shall be one of the following: 743



(1) For a felony of the first degree, the prison term shall 744  
be three, four, five, six, seven, eight, nine, ten, or eleven 745  
years. 746

(2) For a felony of the second degree, the prison term shall 747  
be two, three, four, five, six, seven, or eight years. 748

(3)(a) For a felony of the third degree that is a violation 749  
of section 2903.06, 2903.08, 2907.03, 2907.04, or 2907.05 of the 750  
Revised Code or that is a violation of section 2911.02 or 2911.12 751  
of the Revised Code if the offender previously has been convicted 752  
of or pleaded guilty in two or more separate proceedings to two or 753  
more violations of section 2911.01, 2911.02, 2911.11, or 2911.12 754  
of the Revised Code, the prison term shall be twelve, eighteen, 755  
twenty-four, thirty, thirty-six, forty-two, forty-eight, 756  
fifty-four, or sixty months. 757

(b) For a felony of the third degree that is not an offense 758  
for which division (A)(3)(a) of this section applies, the prison 759  
term shall be nine, twelve, eighteen, twenty-four, thirty, or 760  
thirty-six months. 761

(4) For a felony of the fourth degree, the prison term shall 762  
be six, seven, eight, nine, ten, eleven, twelve, thirteen, 763  
fourteen, fifteen, sixteen, seventeen, or eighteen months. 764

(5) For a felony of the fifth degree, the prison term shall 765  
be six, seven, eight, nine, ten, eleven, or twelve months. 766

(B)(1)(a) Except as provided in division (B)(1)(e) of this 767  
section, if an offender who is convicted of or pleads guilty to a 768  
felony also is convicted of or pleads guilty to a specification of 769  
the type described in section 2941.141, 2941.144, or 2941.145 of 770  
the Revised Code, the court shall impose on the offender one of 771  
the following prison terms: 772

(i) A prison term of six years if the specification is of the 773  
type described in division (A) of section 2941.144 of the Revised 774

Code that charges the offender with having a firearm that is an 775  
automatic firearm or that was equipped with a firearm muffler or 776  
silencer on or about the offender's person or under the offender's 777  
control while committing the ~~felony~~ offense; 778

(ii) A prison term of three years if the specification is of 779  
the type described in division (A) of section 2941.145 of the 780  
Revised Code that charges the offender with having a firearm on or 781  
about the offender's person or under the offender's control while 782  
committing the offense and displaying the firearm, brandishing the 783  
firearm, indicating that the offender possessed the firearm, or 784  
using it to facilitate the offense; 785

(iii) A prison term of one year if the specification is of 786  
the type described in division (A) of section 2941.141 of the 787  
Revised Code that charges the offender with having a firearm on or 788  
about the offender's person or under the offender's control while 789  
committing the ~~felony~~ offense; 790

(iv) A prison term of twelve years if the specification is of 791  
the type described in division (D) of section 2941.144 of the 792  
Revised Code that charges the offender with having a firearm that 793  
is an automatic firearm or that was equipped with a firearm 794  
muffler or silencer on or about the offender's person or under the 795  
offender's control while committing the offense and specifies that 796  
the offender previously has been convicted of or pleaded guilty to 797  
a specification of the type described in section 2941.141, 798  
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code; 799

(v) A prison term of six years if the specification is of the 800  
type described in division (D) of section 2941.145 of the Revised 801  
Code that charges the offender with having a firearm on or about 802  
the offender's person or under the offender's control while 803  
committing the offense and displaying the firearm, brandishing the 804  
firearm, indicating that the offender possessed the firearm, or 805  
using the firearm to facilitate the offense and that the offender 806

previously has been convicted of or pleaded guilty to a 807  
specification of the type described in section 2941.141, 2941.144, 808  
2941.145, 2941.146, or 2941.1412 of the Revised Code; 809

(vi) A prison term of two years if the specification is of 810  
the type described in division (D) of section 2941.141 of the 811  
Revised Code that charges the offender with having a firearm on or 812  
about the offender's person or under the offender's control while 813  
committing the offense and that the offender previously has been 814  
convicted of or pleaded guilty to a specification of the type 815  
described in section 2941.141, 2941.144, 2941.145, 2941.146, or 816  
2941.1412 of the Revised Code. 817

(b) If a court imposes a prison term on an offender under 818  
division (B)(1)(a) of this section, the prison term shall not be 819  
reduced pursuant to section 2967.19, section 2929.20, section 820  
2967.193, or any other provision of Chapter 2967. or Chapter 5120. 821  
of the Revised Code. Except as provided in division (B)(1)(g) of 822  
this section, a court shall not impose more than one prison term 823  
on an offender under division (B)(1)(a) of this section for 824  
felonies committed as part of the same act or transaction. 825

(c)(i) Except as provided in division (B)(1)(e) of this 826  
section, if an offender who is convicted of or pleads guilty to a 827  
violation of section 2923.161 of the Revised Code or to a felony 828  
that includes, as an essential element, purposely or knowingly 829  
causing or attempting to cause the death of or physical harm to 830  
another, also is convicted of or pleads guilty to a specification 831  
of the type described in division (A) of section 2941.146 of the 832  
Revised Code that charges the offender with committing the offense 833  
by discharging a firearm from a motor vehicle other than a 834  
manufactured home, the court, after imposing a prison term on the 835  
offender for the violation of section 2923.161 of the Revised Code 836  
or for the other felony offense under division (A), (B)(2), or 837  
(B)(3) of this section, shall impose an additional prison term of 838

five years upon the offender that shall not be reduced pursuant to 839  
section 2929.20, section 2967.19, section 2967.193, or any other 840  
provision of Chapter 2967. or Chapter 5120. of the Revised Code. A 841

(ii) Except as provided in division (B)(1)(e) of this 842  
section, if an offender who is convicted of or pleads guilty to a 843  
violation of section 2923.161 of the Revised Code or to a felony 844  
that includes, as an essential element, purposely or knowingly 845  
causing or attempting to cause the death of or physical harm to 846  
another, also is convicted of or pleads guilty to a specification 847  
of the type described in division (C) of section 2941.146 of the 848  
Revised Code that charges the offender with committing the offense 849  
by discharging a firearm from a motor vehicle other than a 850  
manufactured home and that the offender previously has been 851  
convicted of or pleaded guilty to a specification of the type 852  
described in section 2941.141, 2941.144, 2941.145, 2941.146, or 853  
2941.1412 of the Revised Code, the court, after imposing a prison 854  
term on the offender for the violation of section 2923.161 of the 855  
Revised Code or for the other felony offense under division (A), 856  
(B)(2), or (3) of this section, shall impose an additional prison 857  
term of ten years upon the offender that shall not be reduced 858  
pursuant to section 2929.20, 2967.19, 2967.193, or any other 859  
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 860

(iii) A court shall not impose more than one additional 861  
prison term on an offender under division (B)(1)(c) of this 862  
section for felonies committed as part of the same act or 863  
transaction. If a court imposes an additional prison term on an 864  
offender under division (B)(1)(c) of this section relative to an 865  
offense, the court also shall impose a prison term under division 866  
(B)(1)(a) of this section relative to the same offense, provided 867  
the criteria specified in that division for imposing an additional 868  
prison term are satisfied relative to the offender and the 869  
offense. 870

(d) If an offender who is convicted of or pleads guilty to an offense of violence that is a felony also is convicted of or pleads guilty to a specification of the type described in section 2941.1411 of the Revised Code that charges the offender with wearing or carrying body armor while committing the felony offense of violence, the court shall impose on the offender a prison term of two years. The prison term so imposed, subject to divisions (C) to (I) of section 2967.19 of the Revised Code, shall not be reduced pursuant to section 2929.20, section 2967.19, section 2967.193, or any other provision of Chapter 2967. or Chapter 5120. of the Revised Code. A court shall not impose more than one prison term on an offender under division (B)(1)(d) of this section for felonies committed as part of the same act or transaction. If a court imposes an additional prison term under division (B)(1)(a) or (c) of this section, the court is not precluded from imposing an additional prison term under division (B)(1)(d) of this section.

(e) The court shall not impose any of the prison terms described in division (B)(1)(a) of this section or any of the additional prison terms described in division (B)(1)(c) of this section upon an offender for a violation of section 2923.12 or 2923.123 of the Revised Code. The court shall not impose any of the prison terms described in division (B)(1)(a) or (b) of this section upon an offender for a violation of section 2923.122 that involves a deadly weapon that is a firearm other than a dangerous ordnance, section 2923.16, or section 2923.121 of the Revised Code. The court shall not impose any of the prison terms described in division (B)(1)(a) of this section or any of the additional prison terms described in division (B)(1)(c) of this section upon an offender for a violation of section 2923.13 of the Revised Code unless all of the following apply:

(i) The offender previously has been convicted of aggravated

murder, murder, or any felony of the first or second degree. 903

(ii) Less than five years have passed since the offender was 904  
released from prison or post-release control, whichever is later, 905  
for the prior offense. 906

(f)(i) If an offender is convicted of or pleads guilty to a 907  
felony that includes, as an essential element, causing or 908  
attempting to cause the death of or physical harm to another and 909  
also is convicted of or pleads guilty to a specification of the 910  
type described in division (A) of section 2941.1412 of the Revised 911  
Code that charges the offender with committing the offense by 912  
discharging a firearm at a peace officer as defined in section 913  
2935.01 of the Revised Code or a corrections officer, as defined 914  
in section 2941.1412 of the Revised Code, the court, after 915  
imposing a prison term on the offender for the felony offense 916  
under division (A), (B)(2), or (B)(3) of this section, shall 917  
impose an additional prison term of seven years upon the offender 918  
that shall not be reduced pursuant to section 2929.20, section 919  
2967.19, section 2967.193, or any other provision of Chapter 2967. 920  
or Chapter 5120. of the Revised Code. ~~if~~ 921

(ii) If an offender is convicted of or pleads guilty to a 922  
felony that includes, as an essential element, causing or 923  
attempting to cause the death of or physical harm to another and 924  
also is convicted of or pleads guilty to a specification of the 925  
type described in division (B) of section 2941.1412 of the Revised 926  
Code that charges the offender with committing the offense by 927  
discharging a firearm at a peace officer, as defined in section 928  
2935.01 of the Revised Code, or a corrections officer, as defined 929  
in section 2941.1412 of the Revised Code, and that the offender 930  
previously has been convicted of or pleaded guilty to a 931  
specification of the type described in section 2941.141, 2941.144, 932  
2941.145, 2941.146, or 2941.1412 of the Revised Code, the court, 933  
after imposing a prison term on the offender for the felony 934

offense under division (A), (B)(2), or (3) of this section, shall 935  
impose an additional prison term of fourteen years upon the 936  
offender that shall not be reduced pursuant to section 2929.20, 937  
2967.19, 2967.193, or any other provision of Chapter 2967. or 938  
Chapter 5120. of the Revised Code. 939

(iii) If an offender is convicted of or pleads guilty to two 940  
or more felonies that include, as an essential element, causing or 941  
attempting to cause the death or physical harm to another and also 942  
is convicted of or pleads guilty to a specification of the type 943  
described under division (B)(1)(f) of this section in connection 944  
with two or more of the felonies of which the offender is 945  
convicted or to which the offender pleads guilty, the sentencing 946  
court shall impose on the offender the prison term specified under 947  
division (B)(1)(f) of this section for each of two of the 948  
specifications of which the offender is convicted or to which the 949  
offender pleads guilty and, in its discretion, also may impose on 950  
the offender the prison term specified under that division for any 951  
or all of the remaining specifications. If a court imposes an 952  
additional prison term on an offender under division (B)(1)(f) of 953  
this section relative to an offense, the court shall not impose a 954  
prison term under division (B)(1)(a) or (c) of this section 955  
relative to the same offense. 956

(g) If an offender is convicted of or pleads guilty to two or 957  
more felonies, if one or more of those felonies are aggravated 958  
murder, murder, attempted aggravated murder, attempted murder, 959  
aggravated robbery, felonious assault, or rape, and if the 960  
offender is convicted of or pleads guilty to a specification of 961  
the type described under division (B)(1)(a) of this section in 962  
connection with two or more of the felonies, the sentencing court 963  
shall impose on the offender the prison term specified under 964  
division (B)(1)(a) of this section for each of the two most 965  
serious specifications of which the offender is convicted or to 966

which the offender pleads guilty and, in its discretion, also may 967  
impose on the offender the prison term specified under that 968  
division for any or all of the remaining specifications. 969

(2)(a) If division (B)(2)(b) of this section does not apply, 970  
the court may impose on an offender, in addition to the longest 971  
prison term authorized or required for the offense, an additional 972  
definite prison term of one, two, three, four, five, six, seven, 973  
eight, nine, or ten years if all of the following criteria are 974  
met: 975

(i) The offender is convicted of or pleads guilty to a 976  
specification of the type described in section 2941.149 of the 977  
Revised Code that the offender is a repeat violent offender. 978

(ii) The offense of which the offender currently is convicted 979  
or to which the offender currently pleads guilty is aggravated 980  
murder and the court does not impose a sentence of death or life 981  
imprisonment without parole, murder, terrorism and the court does 982  
not impose a sentence of life imprisonment without parole, any 983  
felony of the first degree that is an offense of violence and the 984  
court does not impose a sentence of life imprisonment without 985  
parole, or any felony of the second degree that is an offense of 986  
violence and the trier of fact finds that the offense involved an 987  
attempt to cause or a threat to cause serious physical harm to a 988  
person or resulted in serious physical harm to a person. 989

(iii) The court imposes the longest prison term for the 990  
offense that is not life imprisonment without parole. 991

(iv) The court finds that the prison terms imposed pursuant 992  
to division (B)(2)(a)(iii) of this section and, if applicable, 993  
division (B)(1) or (3) of this section are inadequate to punish 994  
the offender and protect the public from future crime, because the 995  
applicable factors under section 2929.12 of the Revised Code 996  
indicating a greater likelihood of recidivism outweigh the 997



applicable factors under that section indicating a lesser 998  
likelihood of recidivism. 999

(v) The court finds that the prison terms imposed pursuant to 1000  
division (B)(2)(a)(iii) of this section and, if applicable, 1001  
division (B)(1) or (3) of this section are demeaning to the 1002  
seriousness of the offense, because one or more of the factors 1003  
under section 2929.12 of the Revised Code indicating that the 1004  
offender's conduct is more serious than conduct normally 1005  
constituting the offense are present, and they outweigh the 1006  
applicable factors under that section indicating that the 1007  
offender's conduct is less serious than conduct normally 1008  
constituting the offense. 1009

(b) The court shall impose on an offender the longest prison 1010  
term authorized or required for the offense and shall impose on 1011  
the offender an additional definite prison term of one, two, 1012  
three, four, five, six, seven, eight, nine, or ten years if all of 1013  
the following criteria are met: 1014

(i) The offender is convicted of or pleads guilty to a 1015  
specification of the type described in section 2941.149 of the 1016  
Revised Code that the offender is a repeat violent offender. 1017

(ii) The offender within the preceding twenty years has been 1018  
convicted of or pleaded guilty to three or more offenses described 1019  
in division (CC)(1) of section 2929.01 of the Revised Code, 1020  
including all offenses described in that division of which the 1021  
offender is convicted or to which the offender pleads guilty in 1022  
the current prosecution and all offenses described in that 1023  
division of which the offender previously has been convicted or to 1024  
which the offender previously pleaded guilty, whether prosecuted 1025  
together or separately. 1026

(iii) The offense or offenses of which the offender currently 1027  
is convicted or to which the offender currently pleads guilty is 1028

aggravated murder and the court does not impose a sentence of 1029  
death or life imprisonment without parole, murder, terrorism and 1030  
the court does not impose a sentence of life imprisonment without 1031  
parole, any felony of the first degree that is an offense of 1032  
violence and the court does not impose a sentence of life 1033  
imprisonment without parole, or any felony of the second degree 1034  
that is an offense of violence and the trier of fact finds that 1035  
the offense involved an attempt to cause or a threat to cause 1036  
serious physical harm to a person or resulted in serious physical 1037  
harm to a person. 1038

(c) For purposes of division (B)(2)(b) of this section, two 1039  
or more offenses committed at the same time or as part of the same 1040  
act or event shall be considered one offense, and that one offense 1041  
shall be the offense with the greatest penalty. 1042

(d) A sentence imposed under division (B)(2)(a) or (b) of 1043  
this section shall not be reduced pursuant to section 2929.20, 1044  
section 2967.19, or section 2967.193, or any other provision of 1045  
Chapter 2967. or Chapter 5120. of the Revised Code. The offender 1046  
shall serve an additional prison term imposed under this section 1047  
consecutively to and prior to the prison term imposed for the 1048  
underlying offense. 1049

(e) When imposing a sentence pursuant to division (B)(2)(a) 1050  
or (b) of this section, the court shall state its findings 1051  
explaining the imposed sentence. 1052

(3) Except when an offender commits a violation of section 1053  
2903.01 or 2907.02 of the Revised Code and the penalty imposed for 1054  
the violation is life imprisonment or commits a violation of 1055  
section 2903.02 of the Revised Code, if the offender commits a 1056  
violation of section 2925.03 or 2925.11 of the Revised Code and 1057  
that section classifies the offender as a major drug offender, if 1058  
the offender commits a felony violation of section 2925.02, 1059  
2925.04, 2925.05, 2925.36, 3719.07, 3719.08, 3719.16, 3719.161, 1060

4729.37, or 4729.61, division (C) or (D) of section 3719.172, 1061  
division (C) of section 4729.51, or division (J) of section 1062  
4729.54 of the Revised Code that includes the sale, offer to sell, 1063  
or possession of a schedule I or II controlled substance, with the 1064  
exception of marihuana, and the court imposing sentence upon the 1065  
offender finds that the offender is guilty of a specification of 1066  
the type described in section 2941.1410 of the Revised Code 1067  
charging that the offender is a major drug offender, if the court 1068  
imposing sentence upon an offender for a felony finds that the 1069  
offender is guilty of corrupt activity with the most serious 1070  
offense in the pattern of corrupt activity being a felony of the 1071  
first degree, or if the offender is guilty of an attempted 1072  
violation of section 2907.02 of the Revised Code and, had the 1073  
offender completed the violation of section 2907.02 of the Revised 1074  
Code that was attempted, the offender would have been subject to a 1075  
sentence of life imprisonment or life imprisonment without parole 1076  
for the violation of section 2907.02 of the Revised Code, the 1077  
court shall impose upon the offender for the felony violation a 1078  
mandatory prison term of the maximum prison term prescribed for a 1079  
felony of the first degree that, subject to divisions (C) to (I) 1080  
of section 2967.19 of the Revised Code, cannot be reduced pursuant 1081  
to section 2929.20, section 2967.19, or any other provision of 1082  
Chapter 2967. or 5120. of the Revised Code. 1083

(4) If the offender is being sentenced for a third or fourth 1084  
degree felony OVI offense under division (G)(2) of section 2929.13 1085  
of the Revised Code, the sentencing court shall impose upon the 1086  
offender a mandatory prison term in accordance with that division. 1087  
In addition to the mandatory prison term, if the offender is being 1088  
sentenced for a fourth degree felony OVI offense, the court, 1089  
notwithstanding division (A)(4) of this section, may sentence the 1090  
offender to a definite prison term of not less than six months and 1091  
not more than thirty months, and if the offender is being 1092  
sentenced for a third degree felony OVI offense, the sentencing 1093

court may sentence the offender to an additional prison term of 1094  
any duration specified in division (A)(3) of this section. In 1095  
either case, the additional prison term imposed shall be reduced 1096  
by the sixty or one hundred twenty days imposed upon the offender 1097  
as the mandatory prison term. The total of the additional prison 1098  
term imposed under division (B)(4) of this section plus the sixty 1099  
or one hundred twenty days imposed as the mandatory prison term 1100  
shall equal a definite term in the range of six months to thirty 1101  
months for a fourth degree felony OVI offense and shall equal one 1102  
of the authorized prison terms specified in division (A)(3) of 1103  
this section for a third degree felony OVI offense. If the court 1104  
imposes an additional prison term under division (B)(4) of this 1105  
section, the offender shall serve the additional prison term after 1106  
the offender has served the mandatory prison term required for the 1107  
offense. In addition to the mandatory prison term or mandatory and 1108  
additional prison term imposed as described in division (B)(4) of 1109  
this section, the court also may sentence the offender to a 1110  
community control sanction under section 2929.16 or 2929.17 of the 1111  
Revised Code, but the offender shall serve all of the prison terms 1112  
so imposed prior to serving the community control sanction. 1113

If the offender is being sentenced for a fourth degree felony 1114  
OVI offense under division (G)(1) of section 2929.13 of the 1115  
Revised Code and the court imposes a mandatory term of local 1116  
incarceration, the court may impose a prison term as described in 1117  
division (A)(1) of that section. 1118

(5) If an offender is convicted of or pleads guilty to a 1119  
violation of division (A)(1) or (2) of section 2903.06 of the 1120  
Revised Code and also is convicted of or pleads guilty to a 1121  
specification of the type described in section 2941.1414 of the 1122  
Revised Code that charges that the victim of the offense is a 1123  
peace officer, as defined in section 2935.01 of the Revised Code, 1124  
or an investigator of the bureau of criminal identification and 1125

investigation, as defined in section 2903.11 of the Revised Code, 1126  
the court shall impose on the offender a prison term of five 1127  
years. If a court imposes a prison term on an offender under 1128  
division (B)(5) of this section, the prison term, subject to 1129  
divisions (C) to (I) of section 2967.19 of the Revised Code, shall 1130  
not be reduced pursuant to section 2929.20, section 2967.19, 1131  
section 2967.193, or any other provision of Chapter 2967. or 1132  
Chapter 5120. of the Revised Code. A court shall not impose more 1133  
than one prison term on an offender under division (B)(5) of this 1134  
section for felonies committed as part of the same act. 1135

(6) If an offender is convicted of or pleads guilty to a 1136  
violation of division (A)(1) or (2) of section 2903.06 of the 1137  
Revised Code and also is convicted of or pleads guilty to a 1138  
specification of the type described in section 2941.1415 of the 1139  
Revised Code that charges that the offender previously has been 1140  
convicted of or pleaded guilty to three or more violations of 1141  
division (A) or (B) of section 4511.19 of the Revised Code or an 1142  
equivalent offense, as defined in section 2941.1415 of the Revised 1143  
Code, or three or more violations of any combination of those 1144  
divisions and offenses, the court shall impose on the offender a 1145  
prison term of three years. If a court imposes a prison term on an 1146  
offender under division (B)(6) of this section, the prison term, 1147  
subject to divisions (C) to (I) of section 2967.19 of the Revised 1148  
Code, shall not be reduced pursuant to section 2929.20, section 1149  
2967.19, section 2967.193, or any other provision of Chapter 2967. 1150  
or Chapter 5120. of the Revised Code. A court shall not impose 1151  
more than one prison term on an offender under division (B)(6) of 1152  
this section for felonies committed as part of the same act. 1153

(7)(a) If an offender is convicted of or pleads guilty to a 1154  
felony violation of section 2905.01, 2905.02, 2907.21, 2907.22, or 1155  
2923.32, division (A)(1) or (2) of section 2907.323, or division 1156  
(B)(1), (2), (3), (4), or (5) of section 2919.22 of the Revised 1157

Code and also is convicted of or pleads guilty to a specification 1158  
of the type described in section 2941.1422 of the Revised Code 1159  
that charges that the offender knowingly committed the offense in 1160  
furtherance of human trafficking, the court shall impose on the 1161  
offender a mandatory prison term that is one of the following: 1162

(i) If the offense is a felony of the first degree, a 1163  
definite prison term of not less than five years and not greater 1164  
than ten years; 1165

(ii) If the offense is a felony of the second or third 1166  
degree, a definite prison term of not less than three years and 1167  
not greater than the maximum prison term allowed for the offense 1168  
by division (A) of section 2929.14 of the Revised Code; 1169

(iii) If the offense is a felony of the fourth or fifth 1170  
degree, a definite prison term that is the maximum prison term 1171  
allowed for the offense by division (A) of section 2929.14 of the 1172  
Revised Code. 1173

(b) Subject to divisions (C) to (I) of section 2967.19 of the 1174  
Revised Code, the prison term imposed under division (B)(7)(a) of 1175  
this section shall not be reduced pursuant to section 2929.20, 1176  
section 2967.19, section 2967.193, or any other provision of 1177  
Chapter 2967. of the Revised Code. A court shall not impose more 1178  
than one prison term on an offender under division (B)(7)(a) of 1179  
this section for felonies committed as part of the same act, 1180  
scheme, or plan. 1181

(8) If an offender is convicted of or pleads guilty to a 1182  
felony violation of section 2903.11, 2903.12, or 2903.13 of the 1183  
Revised Code and also is convicted of or pleads guilty to a 1184  
specification of the type described in section 2941.1423 of the 1185  
Revised Code that charges that the victim of the violation was a 1186  
woman whom the offender knew was pregnant at the time of the 1187  
violation, notwithstanding the range of prison terms prescribed in 1188

division (A) of this section for felonies of the same degree as 1189  
the violation, the court shall impose on the offender a mandatory 1190  
prison term that is either a definite prison term of six months or 1191  
one of the prison terms prescribed in section 2929.14 of the 1192  
Revised Code for felonies of the same degree as the violation. 1193

(C)(1)(a) Subject to division (C)(1)(b) of this section, if a 1194  
mandatory prison term is imposed upon an offender pursuant to 1195  
division (B)(1)(a) of this section for having a firearm on or 1196  
about the offender's person or under the offender's control while 1197  
committing a felony, if a mandatory prison term is imposed upon an 1198  
offender pursuant to division (B)(1)(c) of this section for 1199  
committing a felony specified in that division by discharging a 1200  
firearm from a motor vehicle, or if both types of mandatory prison 1201  
terms are imposed, the offender shall serve any mandatory prison 1202  
term imposed under either division consecutively to any other 1203  
mandatory prison term imposed under either division or under 1204  
division (B)(1)(d) of this section, consecutively to and prior to 1205  
any prison term imposed for the underlying felony pursuant to 1206  
division (A), (B)(2), or (B)(3) of this section or any other 1207  
section of the Revised Code, and consecutively to any other prison 1208  
term or mandatory prison term previously or subsequently imposed 1209  
upon the offender. 1210

(b) If a mandatory prison term is imposed upon an offender 1211  
pursuant to division (B)(1)(d) of this section for wearing or 1212  
carrying body armor while committing an offense of violence that 1213  
is a felony, the offender shall serve the mandatory term so 1214  
imposed consecutively to any other mandatory prison term imposed 1215  
under that division or under division (B)(1)(a) or (c) of this 1216  
section, consecutively to and prior to any prison term imposed for 1217  
the underlying felony under division (A), (B)(2), or (B)(3) of 1218  
this section or any other section of the Revised Code, and 1219  
consecutively to any other prison term or mandatory prison term 1220

previously or subsequently imposed upon the offender. 1221

(c) If a mandatory prison term is imposed upon an offender 1222  
pursuant to division (B)(1)(f) of this section, the offender shall 1223  
serve the mandatory prison term so imposed consecutively to and 1224  
prior to any prison term imposed for the underlying felony under 1225  
division (A), (B)(2), or (B)(3) of this section or any other 1226  
section of the Revised Code, and consecutively to any other prison 1227  
term or mandatory prison term previously or subsequently imposed 1228  
upon the offender. 1229

(d) If a mandatory prison term is imposed upon an offender 1230  
pursuant to division (B)(7) or (8) of this section, the offender 1231  
shall serve the mandatory prison term so imposed consecutively to 1232  
any other mandatory prison term imposed under that division or 1233  
under any other provision of law and consecutively to any other 1234  
prison term or mandatory prison term previously or subsequently 1235  
imposed upon the offender. 1236

(2) If an offender who is an inmate in a jail, prison, or 1237  
other residential detention facility violates section 2917.02, 1238  
2917.03, or 2921.35 of the Revised Code or division (A)(1) or (2) 1239  
of section 2921.34 of the Revised Code, if an offender who is 1240  
under detention at a detention facility commits a felony violation 1241  
of section 2923.131 of the Revised Code, or if an offender who is 1242  
an inmate in a jail, prison, or other residential detention 1243  
facility or is under detention at a detention facility commits 1244  
another felony while the offender is an escapee in violation of 1245  
division (A)(1) or (2) of section 2921.34 of the Revised Code, any 1246  
prison term imposed upon the offender for one of those violations 1247  
shall be served by the offender consecutively to the prison term 1248  
or term of imprisonment the offender was serving when the offender 1249  
committed that offense and to any other prison term previously or 1250  
subsequently imposed upon the offender. 1251

(3) If a prison term is imposed for a violation of division 1252



(B) of section 2911.01 of the Revised Code, a violation of 1253  
division (A) of section 2913.02 of the Revised Code in which the 1254  
stolen property is a firearm or dangerous ordnance, or a felony 1255  
violation of division (B) of section 2921.331 of the Revised Code, 1256  
the offender shall serve that prison term consecutively to any 1257  
other prison term or mandatory prison term previously or 1258  
subsequently imposed upon the offender. 1259

(4) If multiple prison terms are imposed on an offender for 1260  
convictions of multiple offenses, the court may require the 1261  
offender to serve the prison terms consecutively if the court 1262  
finds that the consecutive service is necessary to protect the 1263  
public from future crime or to punish the offender and that 1264  
consecutive sentences are not disproportionate to the seriousness 1265  
of the offender's conduct and to the danger the offender poses to 1266  
the public, and if the court also finds any of the following: 1267

(a) The offender committed one or more of the multiple 1268  
offenses while the offender was awaiting trial or sentencing, was 1269  
under a sanction imposed pursuant to section 2929.16, 2929.17, or 1270  
2929.18 of the Revised Code, or was under post-release control for 1271  
a prior offense. 1272

(b) At least two of the multiple offenses were committed as 1273  
part of one or more courses of conduct, and the harm caused by two 1274  
or more of the multiple offenses so committed was so great or 1275  
unusual that no single prison term for any of the offenses 1276  
committed as part of any of the courses of conduct adequately 1277  
reflects the seriousness of the offender's conduct. 1278

(c) The offender's history of criminal conduct demonstrates 1279  
that consecutive sentences are necessary to protect the public 1280  
from future crime by the offender. 1281

(5) If a mandatory prison term is imposed upon an offender 1282  
pursuant to division (B)(5) or (6) of this section, the offender 1283

shall serve the mandatory prison term consecutively to and prior 1284  
to any prison term imposed for the underlying violation of 1285  
division (A)(1) or (2) of section 2903.06 of the Revised Code 1286  
pursuant to division (A) of this section or section 2929.142 of 1287  
the Revised Code. If a mandatory prison term is imposed upon an 1288  
offender pursuant to division (B)(5) of this section, and if a 1289  
mandatory prison term also is imposed upon the offender pursuant 1290  
to division (B)(6) of this section in relation to the same 1291  
violation, the offender shall serve the mandatory prison term 1292  
imposed pursuant to division (B)(5) of this section consecutively 1293  
to and prior to the mandatory prison term imposed pursuant to 1294  
division (B)(6) of this section and consecutively to and prior to 1295  
any prison term imposed for the underlying violation of division 1296  
(A)(1) or (2) of section 2903.06 of the Revised Code pursuant to 1297  
division (A) of this section or section 2929.142 of the Revised 1298  
Code. 1299

(6) When consecutive prison terms are imposed pursuant to 1300  
division (C)(1), (2), (3), (4), or (5) or division (H)(1) or (2) 1301  
of this section, the term to be served is the aggregate of all of 1302  
the terms so imposed. 1303

(D)(1) If a court imposes a prison term for a felony of the 1304  
first degree, for a felony of the second degree, for a felony sex 1305  
offense, or for a felony of the third degree that is not a felony 1306  
sex offense and in the commission of which the offender caused or 1307  
threatened to cause physical harm to a person, it shall include in 1308  
the sentence a requirement that the offender be subject to a 1309  
period of post-release control after the offender's release from 1310  
imprisonment, in accordance with that division. If a court imposes 1311  
a sentence including a prison term of a type described in this 1312  
division on or after July 11, 2006, the failure of a court to 1313  
include a post-release control requirement in the sentence 1314  
pursuant to this division does not negate, limit, or otherwise 1315

affect the mandatory period of post-release control that is 1316  
required for the offender under division (B) of section 2967.28 of 1317  
the Revised Code. Section 2929.191 of the Revised Code applies if, 1318  
prior to July 11, 2006, a court imposed a sentence including a 1319  
prison term of a type described in this division and failed to 1320  
include in the sentence pursuant to this division a statement 1321  
regarding post-release control. 1322

(2) If a court imposes a prison term for a felony of the 1323  
third, fourth, or fifth degree that is not subject to division 1324  
(D)(1) of this section, it shall include in the sentence a 1325  
requirement that the offender be subject to a period of 1326  
post-release control after the offender's release from 1327  
imprisonment, in accordance with that division, if the parole 1328  
board determines that a period of post-release control is 1329  
necessary. Section 2929.191 of the Revised Code applies if, prior 1330  
to July 11, 2006, a court imposed a sentence including a prison 1331  
term of a type described in this division and failed to include in 1332  
the sentence pursuant to this division a statement regarding 1333  
post-release control. 1334

(E) The court shall impose sentence upon the offender in 1335  
accordance with section 2971.03 of the Revised Code, and Chapter 1336  
2971. of the Revised Code applies regarding the prison term or 1337  
term of life imprisonment without parole imposed upon the offender 1338  
and the service of that term of imprisonment if any of the 1339  
following apply: 1340

(1) A person is convicted of or pleads guilty to a violent 1341  
sex offense or a designated homicide, assault, or kidnapping 1342  
offense, and, in relation to that offense, the offender is 1343  
adjudicated a sexually violent predator. 1344

(2) A person is convicted of or pleads guilty to a violation 1345  
of division (A)(1)(b) of section 2907.02 of the Revised Code 1346  
committed on or after January 2, 2007, and either the court does 1347

not impose a sentence of life without parole when authorized 1348  
pursuant to division (B) of section 2907.02 of the Revised Code, 1349  
or division (B) of section 2907.02 of the Revised Code provides 1350  
that the court shall not sentence the offender pursuant to section 1351  
2971.03 of the Revised Code. 1352

(3) A person is convicted of or pleads guilty to attempted 1353  
rape committed on or after January 2, 2007, and a specification of 1354  
the type described in section 2941.1418, 2941.1419, or 2941.1420 1355  
of the Revised Code. 1356

(4) A person is convicted of or pleads guilty to a violation 1357  
of section 2905.01 of the Revised Code committed on or after 1358  
January 1, 2008, and that section requires the court to sentence 1359  
the offender pursuant to section 2971.03 of the Revised Code. 1360

(5) A person is convicted of or pleads guilty to aggravated 1361  
murder committed on or after January 1, 2008, and division 1362  
(A)(2)(b)(ii) of section 2929.022, division (A)(1)(e), 1363  
(C)(1)(a)(v), (C)(2)(a)(ii), (D)(2)(b), (D)(3)(a)(iv), or 1364  
(E)(1)(d) of section 2929.03, or division (A) or (B) of section 1365  
2929.06 of the Revised Code requires the court to sentence the 1366  
offender pursuant to division (B)(3) of section 2971.03 of the 1367  
Revised Code. 1368

(6) A person is convicted of or pleads guilty to murder 1369  
committed on or after January 1, 2008, and division (B)(2) of 1370  
section 2929.02 of the Revised Code requires the court to sentence 1371  
the offender pursuant to section 2971.03 of the Revised Code. 1372

(F) If a person who has been convicted of or pleaded guilty 1373  
to a felony is sentenced to a prison term or term of imprisonment 1374  
under this section, sections 2929.02 to 2929.06 of the Revised 1375  
Code, section 2929.142 of the Revised Code, section 2971.03 of the 1376  
Revised Code, or any other provision of law, section 5120.163 of 1377  
the Revised Code applies regarding the person while the person is 1378

confined in a state correctional institution. 1379

(G) If an offender who is convicted of or pleads guilty to a 1380  
felony that is an offense of violence also is convicted of or 1381  
pleads guilty to a specification of the type described in section 1382  
2941.142 of the Revised Code that charges the offender with having 1383  
committed the felony while participating in a criminal gang, the 1384  
court shall impose upon the offender an additional prison term of 1385  
one, two, or three years. 1386

(H)(1) If an offender who is convicted of or pleads guilty to 1387  
aggravated murder, murder, or a felony of the first, second, or 1388  
third degree that is an offense of violence also is convicted of 1389  
or pleads guilty to a specification of the type described in 1390  
section 2941.143 of the Revised Code that charges the offender 1391  
with having committed the offense in a school safety zone or 1392  
towards a person in a school safety zone, the court shall impose 1393  
upon the offender an additional prison term of two years. The 1394  
offender shall serve the additional two years consecutively to and 1395  
prior to the prison term imposed for the underlying offense. 1396

(2)(a) If an offender is convicted of or pleads guilty to a 1397  
felony violation of section 2907.22, 2907.24, 2907.241, or 2907.25 1398  
of the Revised Code and to a specification of the type described 1399  
in section 2941.1421 of the Revised Code and if the court imposes 1400  
a prison term on the offender for the felony violation, the court 1401  
may impose upon the offender an additional prison term as follows: 1402

(i) Subject to division (H)(2)(a)(ii) of this section, an 1403  
additional prison term of one, two, three, four, five, or six 1404  
months; 1405

(ii) If the offender previously has been convicted of or 1406  
pleaded guilty to one or more felony or misdemeanor violations of 1407  
section 2907.22, 2907.23, 2907.24, 2907.241, or 2907.25 of the 1408  
Revised Code and also was convicted of or pleaded guilty to a 1409

specification of the type described in section 2941.1421 of the Revised Code regarding one or more of those violations, an additional prison term of one, two, three, four, five, six, seven, eight, nine, ten, eleven, or twelve months.

(b) In lieu of imposing an additional prison term under division (H)(2)(a) of this section, the court may directly impose on the offender a sanction that requires the offender to wear a real-time processing, continual tracking electronic monitoring device during the period of time specified by the court. The period of time specified by the court shall equal the duration of an additional prison term that the court could have imposed upon the offender under division (H)(2)(a) of this section. A sanction imposed under this division shall commence on the date specified by the court, provided that the sanction shall not commence until after the offender has served the prison term imposed for the felony violation of section 2907.22, 2907.24, 2907.241, or 2907.25 of the Revised Code and any residential sanction imposed for the violation under section 2929.16 of the Revised Code. A sanction imposed under this division shall be considered to be a community control sanction for purposes of section 2929.15 of the Revised Code, and all provisions of the Revised Code that pertain to community control sanctions shall apply to a sanction imposed under this division, except to the extent that they would by their nature be clearly inapplicable. The offender shall pay all costs associated with a sanction imposed under this division, including the cost of the use of the monitoring device.

(I) At the time of sentencing, the court may recommend the offender for placement in a program of shock incarceration under section 5120.031 of the Revised Code or for placement in an intensive program prison under section 5120.032 of the Revised Code, disapprove placement of the offender in a program of shock incarceration or an intensive program prison of that nature, or

make no recommendation on placement of the offender. In no case 1442  
shall the department of rehabilitation and correction place the 1443  
offender in a program or prison of that nature unless the 1444  
department determines as specified in section 5120.031 or 5120.032 1445  
of the Revised Code, whichever is applicable, that the offender is 1446  
eligible for the placement. 1447

If the court disapproves placement of the offender in a 1448  
program or prison of that nature, the department of rehabilitation 1449  
and correction shall not place the offender in any program of 1450  
shock incarceration or intensive program prison. 1451

If the court recommends placement of the offender in a 1452  
program of shock incarceration or in an intensive program prison, 1453  
and if the offender is subsequently placed in the recommended 1454  
program or prison, the department shall notify the court of the 1455  
placement and shall include with the notice a brief description of 1456  
the placement. 1457

If the court recommends placement of the offender in a 1458  
program of shock incarceration or in an intensive program prison 1459  
and the department does not subsequently place the offender in the 1460  
recommended program or prison, the department shall send a notice 1461  
to the court indicating why the offender was not placed in the 1462  
recommended program or prison. 1463

If the court does not make a recommendation under this 1464  
division with respect to an offender and if the department 1465  
determines as specified in section 5120.031 or 5120.032 of the 1466  
Revised Code, whichever is applicable, that the offender is 1467  
eligible for placement in a program or prison of that nature, the 1468  
department shall screen the offender and determine if there is an 1469  
available program of shock incarceration or an intensive program 1470  
prison for which the offender is suited. If there is an available 1471  
program of shock incarceration or an intensive program prison for 1472  
which the offender is suited, the department shall notify the 1473

court of the proposed placement of the offender as specified in 1474  
section 5120.031 or 5120.032 of the Revised Code and shall include 1475  
with the notice a brief description of the placement. The court 1476  
shall have ten days from receipt of the notice to disapprove the 1477  
placement. 1478

(J) If a person is convicted of or pleads guilty to 1479  
aggravated vehicular homicide in violation of division (A)(1) of 1480  
section 2903.06 of the Revised Code and division (B)(2)(c) of that 1481  
section applies, the person shall be sentenced pursuant to section 1482  
2929.142 of the Revised Code. 1483

(K)(1) The court shall impose an additional mandatory prison 1484  
term of eleven years on an offender who is convicted of or pleads 1485  
guilty to a violent felony offense if the offender also is 1486  
convicted of or pleads guilty to a specification of the type 1487  
described in section 2941.1424 of the Revised Code that charges 1488  
that the offender is a violent career criminal and had a firearm 1489  
on or about the offender's person or under the offender's control 1490  
while committing the presently charged violent felony offense. The 1491  
offender shall serve the prison term imposed under this division 1492  
consecutively to and prior to the prison term imposed for the 1493  
underlying offense. The prison term shall not be reduced pursuant 1494  
to section 2929.20 or 2967.19 or any other provision of Chapter 1495  
2967. or 5120. of the Revised Code. A court may not impose more 1496  
than one sentence under division (B)(2)(a) of this section and 1497  
this division for acts committed as part of the same act or 1498  
transaction. 1499

(2) As used in division (K)(1) of this section, "violent 1500  
career criminal" and "violent felony offense" have the same 1501  
meanings as in section 2923.132 of the Revised Code. 1502

**Sec. 2941.141.** (A) Imposition of a one-year mandatory prison 1503  
term upon an offender under division (B)(1)(a)(iii) of section 1504



2929.14 of the Revised Code is precluded unless the indictment, 1505  
count in the indictment, or information charging the offense 1506  
specifies that the offender had a firearm on or about the 1507  
offender's person or under the offender's control while committing 1508  
the offense. The specification shall be stated at the end of the 1509  
body of the indictment, count, or information, and shall be in 1510  
substantially the following form: 1511

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT). The 1512  
Grand Jurors (or insert the person's or the prosecuting attorney's 1513  
name when appropriate) further find and specify that (set forth 1514  
that the offender had a firearm on or about the offender's person 1515  
or under the offender's control while committing the offense.)" 1516

(B) Imposition of a one-year mandatory prison term upon an 1517  
offender under division (B)(1)(a)(iii) of section 2929.14 of the 1518  
Revised Code is precluded if a court imposes a two-year, 1519  
three-year ~~or,~~ six-year, or twelve-year mandatory prison term on 1520  
the offender under ~~that~~ division (B)(1)(a)(i), (ii), (iv), (v), or 1521  
(vi) of that section relative to the same felony. 1522

(C) The specification described in division (A) of this 1523  
section may be used in a delinquent child proceeding in the manner 1524  
and for the purpose described in section 2152.17 of the Revised 1525  
Code. 1526

(D) Imposition of a two-year mandatory prison term upon an 1527  
offender under division (B)(1)(a)(vi) of section 2929.14 of the 1528  
Revised Code is precluded unless the indictment, count in the 1529  
indictment, or information charging the offense specifies that the 1530  
offender had a firearm on or about the offender's person or under 1531  
the offender's control while committing the offense and that the 1532  
offender previously has been convicted of or pleaded guilty to a 1533  
firearm specification of the type described in section 2941.141, 1534  
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. 1535  
The specification shall be stated at the end of the body of the 1536

indictment, count, or information, and shall be in substantially 1537  
the following form: 1538

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT). The 1539  
Grand Jurors (or insert the person's or the prosecuting attorney's 1540  
name when appropriate) further find and specify that (set forth 1541  
that the offender had a firearm on or about the offender's person 1542  
or under the offender's control while committing the offense and 1543  
that the offender previously has been convicted of or pleaded 1544  
guilty to a firearm specification of the type described in section 1545  
2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of the 1546  
Revised Code.)" 1547

(E) Imposition of a two-year mandatory prison term upon an 1548  
offender under division (B)(1)(a)(vi) of section 2929.14 of the 1549  
Revised Code is precluded if the court imposes a one-year, 1550  
three-year, six-year, or twelve-year mandatory prison term on the 1551  
offender under division (B)(1)(a)(i), (ii), (iii), (iv), or (v) of 1552  
that section relative to the same felony. 1553

(F) The specification described in division (D) of this 1554  
section may be used in a delinquent child proceeding in the manner 1555  
and for the purpose described in section 2152.17 of the Revised 1556  
Code. 1557

(G) As used in this section, "firearm" has the same meaning 1558  
as in section 2923.11 of the Revised Code. 1559

**Sec. 2941.144.** (A) Imposition of a six-year mandatory prison 1560  
term upon an offender under division (B)(1)(a)(i) of section 1561  
2929.14 of the Revised Code is precluded unless the indictment, 1562  
count in the indictment, or information charging the offense 1563  
specifies that the offender had a firearm that is an automatic 1564  
firearm or that was equipped with a firearm muffler or silencer on 1565  
or about the offender's person or under the offender's control 1566  
while committing the offense. The specification shall be stated at 1567

the end of the body of the indictment, count, or information and 1568  
shall be stated in substantially the following form: 1569

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT). The 1570  
Grand Jurors (or insert the person's or the prosecuting attorney's 1571  
name when appropriate) further find and specify that (set forth 1572  
that the offender had a firearm that is an automatic firearm or 1573  
that was equipped with a firearm muffler or silencer on or about 1574  
the offender's person or under the offender's control while 1575  
committing the offense)." 1576

(B) Imposition of a six-year mandatory prison term upon an 1577  
offender under division (B)(1)(a)(i) of section 2929.14 of the 1578  
Revised Code is precluded if a court imposes a ~~three-year or~~ 1579  
one-year, two-year, three-year, six-year, or twelve-year mandatory 1580  
prison term on the offender under ~~that~~ division (B)(1)(a)(ii), 1581  
(iii), (iv), (v), or (vi) of that section relative to the same 1582  
felony. 1583

(C) The specification described in division (A) of this 1584  
section may be used in a delinquent child proceeding in the manner 1585  
and for the purpose described in section 2152.17 of the Revised 1586  
Code. 1587

(D) Imposition of a twelve-year mandatory prison term upon an 1588  
offender under division (B)(1)(a)(iv) of section 2929.14 of the 1589  
Revised Code is precluded unless the indictment, count in the 1590  
indictment, or information charging the offense specifies that the 1591  
offender had a firearm that is an automatic firearm or that was 1592  
equipped with a firearm muffler or silencer on or about the 1593  
offender's person or under the offender's control while committing 1594  
the offense and that the offender previously has been convicted of 1595  
or pleaded guilty to a firearm specification of the type described 1596  
in section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 1597  
the Revised Code. The specification shall be stated at the end of 1598  
the body of the indictment, count, or information, and shall be in 1599

substantially the following form: 1600

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT). The 1601  
Grand Jurors (or insert the person's or the prosecuting attorney's 1602  
name when appropriate) further find and specify that (set forth 1603  
that the offender had a firearm that is an automatic firearm or 1604  
that was equipped with a firearm muffler or silencer on or about 1605  
the offender's person or under the offender's control while 1606  
committing the offense and that the offender previously has been 1607  
convicted of or pleaded guilty to a firearm specification of the 1608  
type described in section 2941.141, 2941.144, 2941.145, 2941.146, 1609  
or 2941.1412 of the Revised Code.)" 1610

(E) Imposition of a twelve-year mandatory prison term upon an 1611  
offender under division (B)(1)(a)(iv) of section 2929.14 of the 1612  
Revised Code is precluded if the court imposes a one-year, 1613  
two-year, three-year, or six-year mandatory prison term on the 1614  
offender under division (B)(1)(a)(i), (ii), (iii), (v), or (vi) of 1615  
that section relative to the same felony. 1616

(F) The specification described in division (D) of this 1617  
section may be used in a delinquent child proceeding in the manner 1618  
and for the purpose described in section 2152.17 of the Revised 1619  
Code. 1620

(G) As used in this section, "firearm" and "automatic 1621  
firearm" have the same meanings as in section 2923.11 of the 1622  
Revised Code. 1623

**Sec. 2941.145.** (A) Imposition of a three-year mandatory 1624  
prison term upon an offender under division (B)(1)(a)(ii) of 1625  
section 2929.14 of the Revised Code is precluded unless the 1626  
indictment, count in the indictment, or information charging the 1627  
offense specifies that the offender had a firearm on or about the 1628  
offender's person or under the offender's control while committing 1629  
the offense and displayed the firearm, brandished the firearm, 1630

indicated that the offender possessed the firearm, or used it to 1631  
facilitate the offense. The specification shall be stated at the 1632  
end of the body of the indictment, count, or information, and 1633  
shall be stated in substantially the following form: 1634

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT). The 1635  
Grand Jurors (or insert the person's or the prosecuting attorney's 1636  
name when appropriate) further find and specify that (set forth 1637  
that the offender had a firearm on or about the offender's person 1638  
or under the offender's control while committing the offense and 1639  
displayed the firearm, brandished the firearm, indicated that the 1640  
offender possessed the firearm, or used it to facilitate the 1641  
offense)."

(B) Imposition of a three-year mandatory prison term upon an 1643  
offender under division (B)(1)(a)(ii) of section 2929.14 of the 1644  
Revised Code is precluded if a court imposes a one-year ~~or~~, 1645  
two-year, six-year, or twelve-year mandatory prison term on the 1646  
offender under ~~that~~ division (B)(1)(a)(i, (iii), (iv), (v), or 1647  
(vi) of that section relative to the same felony. 1648

(C) The specification described in division (A) of this 1649  
section may be used in a delinquent child proceeding in the manner 1650  
and for the purpose described in section 2152.17 of the Revised 1651  
Code. 1652

(D) Imposition of a six-year mandatory prison term upon an 1653  
offender under division (B)(1)(a)(v) of section 2929.14 of the 1654  
Revised Code is precluded unless the indictment, count in the 1655  
indictment, or information charging the offense specifies that the 1656  
offender had a firearm on or about the offender's person or under 1657  
the offender's control while committing the offense and displayed 1658  
the firearm, brandished the firearm, indicated that the offender 1659  
possessed a firearm, or used the firearm to facilitate the offense 1660  
and that the offender previously has been convicted of or pleaded 1661  
guilty to a firearm specification of the type described in section 1662

2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of the 1663  
Revised Code. The specification shall be stated at the end of the 1664  
body of the indictment, count, or information, and shall be in 1665  
substantially the following form: 1666

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT). The 1667  
Grand Jurors (or insert the person's or the prosecuting attorney's 1668  
name when appropriate) further find and specify that (set forth 1669  
that the offender had a firearm on or about the offender's person 1670  
or under the offender's control while committing the offense and 1671  
displayed the firearm, brandished the firearm, indicated that the 1672  
offender possessed a firearm, or used the firearm to facilitate 1673  
the offense and that the offender previously has been convicted of 1674  
or pleaded guilty to a firearm specification of the type described 1675  
in section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 1676  
the Revised Code.)" 1677

(E) Imposition of a six-year mandatory prison term upon an 1678  
offender under division (B)(1)(a)(v) of section 2929.14 of the 1679  
Revised Code is precluded if the court imposes a one-year, 1680  
two-year, three-year, or twelve-year mandatory prison term on the 1681  
offender under division (B)(1)(a)(i), (ii), (iii), (iv), or (vi) 1682  
of that section relative to the same felony. 1683

(F) The specification described in division (D) of this 1684  
section may be used in a delinquent child proceeding in the manner 1685  
and for the purpose described in section 2152.17 of the Revised 1686  
Code. 1687

(G) As used in this section, "firearm" has the same meaning 1688  
as in section 2923.11 of the Revised Code. 1689

**Sec. 2941.146.** (A) Imposition of a mandatory five-year prison 1690  
term upon an offender under division (B)(1)(c) of section 2929.14 1691  
of the Revised Code for committing a violation of section 2923.161 1692  
of the Revised Code or for committing a felony that includes, as 1693

an essential element, purposely or knowingly causing or attempting 1694  
to cause the death of or physical harm to another and that was 1695  
committed by discharging a firearm from a motor vehicle other than 1696  
a manufactured home is precluded unless the indictment, count in 1697  
the indictment, or information charging the offender specifies 1698  
that the offender committed the offense by discharging a firearm 1699  
from a motor vehicle other than a manufactured home. The 1700  
specification shall be stated at the end of the body of the 1701  
indictment, count, or information, and shall be stated in 1702  
substantially the following form: 1703

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT). The 1704  
Grand Jurors (or insert the person's or prosecuting attorney's 1705  
name when appropriate) further find and specify that (set forth 1706  
that the offender committed the violation of section 2923.161 of 1707  
the Revised Code or the felony that includes, as an essential 1708  
element, purposely or knowingly causing or attempting to cause the 1709  
death of or physical harm to another and that was committed by 1710  
discharging a firearm from a motor vehicle other than a 1711  
manufactured home)." 1712

(B) The specification described in division (A) of this 1713  
section may be used in a delinquent child proceeding in the manner 1714  
and for the purpose described in section 2152.17 of the Revised 1715  
Code. 1716

(C) Imposition of a ten-year mandatory prison term under 1717  
(B)(1)(c) of section 2929.14 of the Revised Code for committing a 1718  
violation of section 2923.161 of the Revised Code or for 1719  
committing a felony that includes, as an essential element, 1720  
purposely or knowingly causing or attempting to cause the death of 1721  
or physical harm to another and that was committed by discharging 1722  
a firearm from a motor vehicle other than a manufactured home is 1723  
precluded unless the indictment, count in the indictment, or 1724

information charging the offender specifies that the offender 1725  
committed the offense by discharging a firearm from a motor 1726  
vehicle other than a manufactured home and that the offender 1727  
previously has been convicted of or pleaded guilty to a firearm 1728  
specification of the type described in section 2941.141, 2941.144, 1729  
2941.145, 2941.146, or 2941.1412 of the Revised Code. The 1730  
specification shall be stated at the end of the body of the 1731  
indictment, count, or information, and shall be stated in 1732  
substantially the following form: 1733

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT). The 1734  
Grand Jurors (or insert the person's or prosecuting attorney's 1735  
name where appropriate) further find and specify that (set forth 1736  
that the offender committed the violation of section 2923.161 of 1737  
the Revised Code or the felony that includes, as an essential 1738  
element, purposely or knowingly causing or attempting to cause the 1739  
death of or physical harm to another and that was committed by 1740  
discharging a firearm from a motor vehicle other than a 1741  
manufactured home and that the offender previously has been 1742  
convicted of or pleaded guilty to a firearm specification of the 1743  
type described in section 2941.141, 2941.144, 2941.145, 2941.146, 1744  
or 2941.1412 of the Revised Code)." 1745

(D) The specification described in division (C) of this 1746  
section may be used in a delinquent child proceeding in the manner 1747  
and for the purpose described in section 2152.17 of the Revised 1748  
Code. 1749

(E) As used in this section: 1750

(1) "Firearm" has the same meaning as in section 2923.11 of 1751  
the Revised Code; 1752

(2) "Motor vehicle" and "manufactured home" have the same 1753  
meanings as in section 4501.01 of the Revised Code. 1754



**Sec. 2941.1412.** (A) Imposition of a seven-year mandatory 1755  
prison term upon an offender under division (B)(1)(f) of section 1756  
2929.14 of the Revised Code is precluded unless the indictment, 1757  
count in the indictment, or information charging the offense 1758  
specifies that the offender discharged a firearm at a peace 1759  
officer or a corrections officer while committing the offense. The 1760  
specification shall be stated at the end of the body of the 1761  
indictment, count, or information and shall be in substantially 1762  
the following form: 1763

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT). 1764

The Grand Jurors (or insert the person's or the prosecuting 1765  
attorney's name when appropriate) further find and specify that 1766  
(set forth that the offender discharged a firearm at a peace 1767  
officer or a corrections officer while committing the offense)." 1768

(B) Imposition of a fourteen-year mandatory prison term upon 1769  
an offender under division (B)(1)(f) of section 2929.14 of the 1770  
Revised Code is precluded unless the indictment, count in the 1771  
indictment, or information charging the offense specifies that the 1772  
offender discharged a firearm at a peace officer or a corrections 1773  
officer while committing the offense and that the offender 1774  
previously has been convicted of or pleaded guilty to a firearm 1775  
specification of the type described in section 2941.141, 2941.144, 1776  
2941.145, 2941.146, or 2941.1412 of the Revised Code. The 1777  
specification shall be stated at the end of the body of the 1778  
indictment, count, or information and shall be substantially in 1779  
the following form: 1780

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT). 1781

The Grand Jurors (or insert the person's or the prosecuting 1782  
attorney's name when appropriate) further find and specify that 1783  
(set forth that the offender discharged a firearm at a peace 1784  
officer or corrections officer while committing the offense and 1785

that the offender previously has been convicted of or pleaded guilty to a firearm specification of the type described in section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code)."

(C) As used in this section:

(1) "Firearm" has the same meaning as in section 2923.11 of the Revised Code.

(2) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code.

(3) "Corrections officer" means a person employed by a detention facility as a corrections officer.

(4) "Detention facility" has the same meaning as in section 2921.01 of the Revised Code.

**Sec. 2941.1424.** (A) The imposition of an eleven-year mandatory prison term upon an offender under division (K) of section 2929.14 of the Revised Code is precluded unless the offender is convicted of or pleads guilty to committing a violent felony offense and unless the indictment, count in the indictment, or information charging the offense specifies that the offender is a violent career criminal and had a firearm on or about the offender's person or under the offender's control while committing the presently charged violent felony offense. The specification shall be stated at the end of the body of the indictment, court, or information and shall be stated in substantially the following form:

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT).

The Grand Jurors (or insert the person's or the prosecuting attorney's name when appropriate) further find and specify that (set forth that the offender is a violent career criminal and did have a firearm on or about the offender's person or under the

offender's control while committing the presently charged violent  
felony offense.)" 1816  
1817

(B) A court may not impose more than one sentence under  
division (C) of section 2923.132 of the Revised Code and division  
(K) of section 2929.14 of the Revised Code for acts committed as  
part of the same act or transaction. 1818  
1819  
1820  
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(C) As used in this section: 1822

(1) "Firearm" has the same meaning as in section 2923.11 of  
the Revised Code. 1823  
1824

(2) "Violent career criminal" and "violent felony offense"  
have the same meanings as in section 2923.132 of the Revised Code. 1825  
1826

**Section 2.** That existing sections 2152.17, 2929.13, 2929.14,  
2941.141, 2941.144, 2941.145, 2941.146, and 2941.1412 of the  
Revised Code are hereby repealed. 1827  
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**Section 3.** Section 2929.13 of the Revised Code is presented  
in this act as a composite of the section as amended by Am. Sub.  
H.B. 62, Am. Sub. H.B. 262, and Am. Sub. S.B. 160 of the 129th  
General Assembly. The General Assembly, applying the principle  
stated in division (B) of section 1.52 of the Revised Code that  
amendments are to be harmonized if reasonably capable of  
simultaneous operation, finds that the composite is the resulting  
version of the section in effect prior to the effective date of  
the section as presented in this act. 1830  
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